

REMARKS:

After entry of this response, claims 1 to 18, 20 to 27, and 29 to 33 will be pending. Claims 1, 2, 4, 5, 10, 11, 13, 14, 20, 21, 23, and 24 have been amended, and claims 31 to 33 have been added. Claims 1, 10, and 20 are the independent claims. Entry of this response, reconsideration and further examination are respectfully requested.

Withdrawal of Previous Arguments

Applicant hereby withdraws all previous arguments made in this case as moot. In view of the Office Action, these arguments have not persuaded the Examiner and are therefore immaterial to the disposition of the case.

Claim Rejections

Claims 1 to 3, 5 to 7, 10 to 12, 14 to 16, 20 to 22, 24, 25, 29, and 30 were rejected under 35 U.S.C. § 103(a) over U.S. Patent Pub. No. 2002/0194348 (Wood) in view of EP 1 172 238 A2 (Bhatti) and Applicant's (alleged) admitted prior art (AAPA). Claims 4, 13, and 23 were rejected under § 103(a) over Wood in view of Bhatti, AAPA, and U.S. Patent No. 6,690,649 (Shimada). Claims 8, 9, 17, 18, 26, and 27 were rejected over Wood in view of Bhatti, AAPA, and U.S. Patent Pub. No. 2004/0193517 (Abrams). Reconsideration and further examination are respectfully requested.

Independent claim 1 has been amended to recite “scheduling said at least one job to be processed, wherein said job is scheduled to be performed by processing resources that are already reserved for another larger job if said at least one job to be processed can be processed by those reserved processing resources before other processing resources required for said larger job are available.” This feature is discussed at page 16, line 18, to page 17, line 5, of the application, where it is referred to as “smart scheduling.” Applicant has reviewed the applied references and does not see anything therein that corresponds to this new claim feature.

In more detail, Wood does disclose that “[w]hen the job runs, the number of nodes it requires are allocated to the job which are then available for the job’s usage.” However, neither this disclosure nor anything in the other applied art teaches scheduling a node that is already reserved for another job, as recited by the new claim language. Accordingly, claim 1 and its dependent claims are believed to be allowable over the applied art. Such action is respectfully requested.

Independent claim 10 have been amended to recite means for performing the same new claim feature, and claim 20 has been amended to recite a smart scheduler that performs the same new claim feature. Accordingly, claims 10 and 20, as well as their dependent claims, are believed to be allowable over the applied art. Such action is respectfully requested.

No Admission

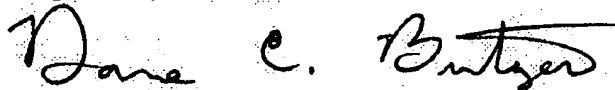
Applicant’s decision not to argue each of the dependent claims separately is not an admission that the subject matter of those claims is taught by the applied art.

Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at (614) 205-3241. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dane C. Butzer". The signature is fluid and cursive, with the first name "Dane" being the most prominent.

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Dated: November 11, 2005

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